

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANT(s): Jonathan D. Levine

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EXAMINER: Cesar B. Paula

TITLE: SYSTEM HAVING A SINGLE, ROBUST, UNIVERSAL
WORKFLOW FOR THE CREATION, PRINTING, AND BINDING
OF HARDCOPY BOOKS, AND FOR THE ACCESSIBILITY AND
DELIVERY OF ELECTRONIC BOOKS

ATTORNEY

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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
(37 C.F.R. §1.192)

This is in response to the Notification of Non-Compliant Appeal Brief mailed 11 February 2009. A revised "SUMMARY OF THE CLAIMED SUBJECT MATTER" is attached hereto.

Please replace paragraph 5 as rewritten below:

[5] Summary Of The Claimed Subject Matter

Claim 1 of this application describes a print-on-demand method for creating and reproducing books with reference to figures 1-3 and in particular paragraphs, page 5, line 1 through page 6, line 3 of the original specification. In the method of independent claim 1, a complete book file is received from the originator (Fig. 1, 104/106) (page 5, lines 2-3). The book file includes the book block in digital form, formatted with the digital structure and codes of an originating software, hardware, and operating system (Fig. 1, 104) (page 5, lines 2-6). The digital structure and codes include particulars unique to the needs of the originator. In step 108 the book file is converted to have a solution-independent, intermediate format, in a universal format, in which the digital structure and codes are devoid of processing particulars unique to the needs of the originator (Fig. 1, 120) (page 5, lines 9-12). The solution-independent, intermediate formatted book file along with book identification information is stored a mastered book (step 110) (page 5, lines 12-17). In steps 112/114, the mastered book of step 110 is converted to a solution-dependent formatted book file to match the needs of a particular book reproduction system that is set up to reproduce the book from the solution-dependent formatted book file (118-122) (page 6, line 4 to page 7, line 20).

The print-on-demand system is intended to be described in independent claim 20 of this application and consists of functional computer elements constructed to execute the workflow illustrated in figures 1. A description of the system can be found on page 3, lines 11-21 of the specification. There are no specific reference numerals for the functional elements, therefore, references are to the workflow reference numbers in figures 1. The system includes software driven processors adapted to create and reproduce books by the reproduction workflows described above. Claim 20, as contained in the claim appendix, includes a word processing error that applicant sought to correct in its amendment after final rejection. The failure of the Examiner to enter the amendment to claim 20 has prejudiced applicant's ability to properly argue the

merits of claim 20 herein. Clearly it should have been entered under 37USC1.116. For the Board's information, Claim 20 is directed to a print-on-demand system for reproducing books (page 4, line 1 to page 5, line 2). The system comprises a book file generator adapted to generate a digital representation with a digital structure and codes of an originating software, hardware, and operating system of a book targeted for reproduction (steps 104/106) (page 3, lines 12-14; page 5, lines 2-8). A solution-independent converter is adapted to convert the complete book file to have a solution-independent, intermediate format, in a universal format, devoid of said digital structure and codes of the originating system (step 108) (page 3, lines 14-15; page 5, lines 9-12). A memory is adapted to store the converted book file along with book identification information as a mastered book (step 110) (page 3, lines 15-17; page 5, lines 12-17). A solution-dependent converter is adapted to convert the solution-independent, intermediate formatted book file to a solution-dependent formatted book files to match the needs of the particular book reproduction workflow utilized (step 114) (page 3, lines 17-20; page 5, line 18 to page 6, line 7). This enables a book reproducer to reproduce the book from the processed book file (step 122) (page 3, lines 20-21; page 6, line 4 to page 7, line 20).

Applicant requests that with the above amended paragraph, the Appeal Brief be sent to the Board for review of the substantive issues in this application.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 24-0037.

Respectfully submitted,



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11 March 2009

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